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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,447	06/23/2003	Kenichiro Kawato	MM0706US (#90326)	9769
28672	7590	12/20/2004	EXAMINER	
D. PETER HOCHBERG CO. L.P.A. 1940 EAST 6TH STREET CLEVELAND, OH 44114			LE, MARK T	
			ART UNIT	PAPER NUMBER

3617

DATE MAILED: 12/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/601,447	KAWATO ET AL.
	Examiner	Art Unit
	Mark T. Le	3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/26/04.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-14 is/are pending in the application.
- 4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-7, 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This communication is responsive to the amendments filed on November 26, 2004. Applicant's amendments and remarks have been carefully considered.
2. Claims 1- 5 and 9-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese reference 49-107081.

Japanese reference, Figures 1-2, shows a conveyance apparatus having all the features recited in the instant claims, including movable bodies 3 each being in the form of three connecting frame members, a rail arrangement comprising main rail 4 and a pair of lateral travel rail members 4a and 4b, branching means 4d interconnecting the lateral travel rail members and the main rail, and motion force applying means 5, 5a and 5b; wherein, the all the frame members of the movable bodies are aligned along the travel direction when they are on main rail 4, and aligned on both lateral travel rail members when they are moved onto the lateral travel rail members as shown in Figure 1 of the Japanese reference.

Regarding the instant claimed guided devices of preceding and following movable bodies being "coupleable together", as recited in instant claim 1, note that the expression "coupleable" does not require an actual coupling, but instead, it requires only the associated structures to have a capability of coupling together. In the instant case of the Japanese reference, the associated structures are inherently "capable" of being coupled together; therefore, the instant claimed limitation is considered met.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese reference 49-107081 in view of Nakagami (US 6,360,671).

The Japanese reference is applied above.

Regarding the moving means being in the form of feeding rollers engaging the passive surfaces of the moving bodies, as recited in instant claim 6, consider Figure 4 of Nakagami. In view of Nakagami, it would have been obvious to one skilled in the art to substitute a moving means, similar to that taught by Nakagami, for the moving means used in the Japanese reference so as to achieve expected advantages thereof, e.g. greater flexibilities in controlling the movements of the moving bodies, in group or individually.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese reference 49-107081 in view of Japanese reference 55-130412.

The Japanese reference '081 is applied above.

Regarding the instant claimed branching means in the form of divided rail members on rotating devices for rotating the divided rail members, as recited in instant claim 7, consider the branching means shown in Figure 4 of Japanese reference '412. In view of Japanese reference '412, it would have been obvious to one skilled in the art to substitute branching means, similar to that taught by Japanese reference '412, for the branching means used in Japanese reference '081 so as to achieve expected advantages thereof, e.g. a sharp turn can be made without requiring a gradually curved rail for the transition between the interconnecting main rail and traversing rail.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

Art Unit: 3617

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Le whose telephone number is 703-308-3663. The examiner can normally be reached on Mon-Fri (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark T. Le  
Primary Examiner  
Art Unit 3617

12/13/04

mle

12/13/04